

Translation

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PATENT COOPERATION TREATY

PCT/EP2003/008674



# PCT

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P800673/WO/1	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP2003/008674	International filing date (day/month/year) 06 August 2003 (06.08.2003)	Priority date (day/month/year) 09 August 2002 (09.08.2002)
International Patent Classification (IPC) or national classification and IPC F02M 51/00		
Applicant MTU FRIEDRICHSHAFEN GMBH		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 4 sheets, including this cover sheet.  
☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of \_\_\_\_\_ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 02 December 2003 (02.12.2003)	Date of completion of this report 25 March 2004 (25.03.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP2003/008674

## I. Basis of the report

### 1. With regard to the elements of the international application:\*

- ☒ the international application as originally filed
- ☒ the description:  
 pages \_\_\_\_\_ 1-6 \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☒ the claims:  
 pages \_\_\_\_\_ 1-12 \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, as amended (together with any statement under Article 19  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☒ the drawings:  
 pages \_\_\_\_\_ 1/5-5/5 \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☐ the sequence listing part of the description:  
 pages \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

### 2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item. These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

### 3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

### 4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/fig \_\_\_\_\_

### 5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\*

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

\*\* Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP 03/08674

## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

### 1. Statement

Novelty (N)	Claims	7, 9	YES
	Claims	1-6, 8, 10-12	NO
Inventive step (IS)	Claims		YES
	Claims	1-12	NO
Industrial applicability (IA)	Claims	1-12	YES
	Claims		NO

### 2. Citations and explanations

#### 1. Novelty of the independent claim

The application fails to meet the requirement of PCT Article 33(2) because the subject matter of claims 1 and 10 lacks novelty.

1.1 The search report citation DE 197 34 970 A (hereinafter referred to as document D1) describes a device as defined in the preamble of claim 1.

D1 also shows (see the end of the line associated with reference sign 3 in figure 2) a turn of a screw thread formed on the part of the terminal holder that protrudes from the cylinder head. This turn no doubt serves as a self-locking means for a cap which is placed on the terminal holder. The terminal holder thus has a self-locking means, and the cap has a corresponding self-locking means, even if it is not explicitly shown.

1.2 As pointed out in the applicant's letter of 3 March 2004, US-A-6 189 511 (hereinafter referred to as document D2) shows a terminal holder (central connector plug 425) which is fixed to the cylinder

head housing by a self-locking means. The subject matter of claim 1 does not exclude the possibility of further distribution (i.e. a wiring harness) inside the cylinder head housing. Although there is no explicit mention of a cap in D2 it is clear that a mating element in the form of a connector with corresponding contact pins is fitted in the terminal holder. Since claim 1 only specifies a cap in general terms without any particular technical features, the mating element can be construed as a cap. The use of a self-locking means to keep such a cap in place is known from the prior art.

The subject matter of claim 1 is thus disclosed in its entirety in D1 and therefore lacks novelty. The method according to claim 10 is likewise derivable from D1 and D2.

2. The features specified in the dependent claims are also either found in or obvious from the prior art documents cited in the search report.